



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: ) Examiner: Turner, Sharon L.  
 )  
Kevin P. BAKER, et al. ) Art Unit: 1647  
 )  
Application Serial No. 10/015,610 ) Confirmation No: 4459  
 )  
Filed: December 12, 2001 ) Attorney's Docket No. 39780-2830 P1C52  
 )  
For: PRO1306 NUCLEIC ACIDS ) Customer No. 35489

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**EXPRESS MAIL LABEL NO. EL 993 635 961 US**

**DATE MAILED: MAY 10, 2005**

**AMENDMENT UNDER 37 C.F.R. §1.48(b) AND 37 C.F.R. §1.312**

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In the above identified application, a Notice of Allowance was mailed on April 19, 2005, but an issue fee has not bee paid. Having reviewed the allowed claims, Applicants have found that as a result of claim amendments made during prosecution, fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the present application. Accordingly, please delete the names of the following inventors, who have not made an inventive contribution to the currently claimed subject matter:

<b>Kevin P. Baker</b>	<b>David Botstein</b>
<b>Napoleone Ferrara</b>	<b>Sherman Fong</b>
<b>Wei-Qiang Gao</b>	<b>J. Christopher Grimaldi</b>
<b>Kenneth J. Hillan</b>	<b>James Pan</b>
<b>Nicholas F. Paoni</b>	<b>Margaret Ann Roy</b>
<b>Victoria Smith</b>	<b>Timothy A. Stewart</b>
<b>Daniel Tumas</b>	<b>Colin K. Watanabe</b>
<b>P. Mickey Williams</b>	

Upon entering the present amendment, Luc Desnoyers, Dan L. Eaton, Audrey Goddard, Paul J. Godowski, Austin Gurney and William I. Wood remain named inventors in this case.

In addition, Applicants request the PTO to take note of the Revocation and Power of Attorney and Change of Address filed on February 28, 2003, a copy of which is enclosed herewith, and kindly direct all future correspondence to the address indicated, *i.e.*, to

**CUSTOMER NO. 35489**  
**Ginger R. Dreger**  
**HELLER EHRMAN LLP**  
**275 Middlefield Road**  
**Menlo Park, California 94025**  
**Telephone: (650) 324-7000**  
**Facsimile: (650) 324-0638**

Please charge the fee of **\$130.00** and/or any fees that might become applicable, including any fees for extension of time, or credit overpayment to Deposit Account No. **08-1641**, referencing Attorney's Docket No. **39780-2830 P1C52**. Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: May 10, 2005

By:   
Anna L. Barry (Reg. No. 51,436)

**HELLER EHRMAN LLP**  
275 Middlefield Road  
Menlo Park, California 94025  
Telephone: (650) 324-7000  
Facsimile: (650) 324-0638

SV 2123518 v1  
5/9/05 5:36 PM (39780.2830)

Please type a plus sign (+) inside this box

MAY 10 2005

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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JFw  
1647

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/015,610
Filing Date	DECEMBER 12, 2001
First Named Inventor	KEVIN P. BAKER
Group/Art Unit	1647
Examiner Name	TURNER, SHARON L.

Total Number of Pages in This Submission

11

Attorney Docket Number

39780-2830 P1C52

### ENCLOSURES (check all that apply)

FEE TRANSMITTAL FORM

Fee Attached

Amendment / Response

After Final

Version With Markings Showing Changes

Affidavits/declaration(s)

Extension of Time Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Response to Missing Parts/ Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53

Copy of Notice

Copy of an Assignment

Drawing(s)

Licensing-related Papers

Petition Routing Slip (PTO/SB/69) and Accompanying Petition

Petition to Convert to a Provisional Application

AMENDMENT UNDER 37 C.F.R. §1.48(b) AND 37 C.F.R. §1.312

Terminal Disclaimer

Small Entity Statement

Request for Refund

After Allowance Communication to Group

Appeal Communication to Board of Appeals and Interferences

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

Proprietary Information

Status Letter

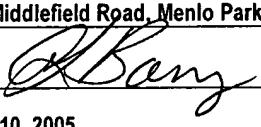
ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW):

COPY OF REVOCATION AND POWER OF ATTORNEY AND CHANGE OF ADDRESS; and STAMPED RETURN POSTCARD

Remarks

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39780-2830 P1C52.

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

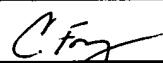
Firm or Individual name	HELLER EHRLMAN LLP 275 Middlefield Road, Menlo Park, California 94025   Telephone: (650) 324-7000   Facsimile: (650) 324-0638		
Signature			
Date	MAY 10, 2005	Customer Number:	35489

### CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: MAIL STOP AF, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: MAY 10, 2005

Express Mail Label EL 993 635 961 US

Typed or printed name C. FONG

Signature  Date MAY 10, 2005

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop \_\_\_\_\_, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

Application Number	10/015,610
Filing Date	DECEMBER 12, 2001
First Named Inventor	KEVIN P. BAKER
Examiner Name	TURNER, SHARON L.
Art Unit	1647
Attorney Docket No.	39780-2830 P1C52

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

08-1641 (39780-2830 P1C52)

Deposit Account Number  
Deposit Account Name  
HELLER EHRMAN LLP

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 300	2001 150	Utility filing fee	
1002 200	2002 100	Design filing fee	
1003 200	2003 100	Plant filing fee	
1004 300	2004 150	Reissue filing fee	
1005 200	2005 100	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 360	2203 180	Multiple dependent claim, if not paid
1204 200	2204 100	** Reissue independent claims over original patent
1205 50	2205 25	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

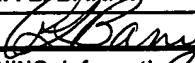
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 120	2251 60	Extension for reply within first month	
1252 450	2252 225	Extension for reply within second month	
1253 1,020	2253 510	Extension for reply within third month	
1254 1,590	2254 795	Extension for reply within fourth month	
1255 2,160	2255 1,080	Extension for reply within fifth month	
1401 500	2401 250	Notice of Appeal	
1402 500	2402 250	Filing a brief in support of an appeal	
1403 1,000	2403 500	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 500	2452 250	Petition to revive - unavoidable	
1453 1,500	2453 750	Petition to revive - unintentional	
1501 1,400	2501 700	Utility issue fee (or reissue)	
1502 800	2502 400	Design issue fee	
1503 1,100	2503 550	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

130.00

(Complete if applicable)

SUBMITTED BY			
Name (Print/Type)	ANNA L. BARRY	Registration No. (Attorney/Agent)	51,436
Signature		Date	MAY 10, 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

VIA FIRST CLASS MAIL DATE MAILED: February 28, 2003  
Attorney's Docket No. 39780-2830.052 US C

Applicant(s): Baker et al.  
Title: Secreted and Transmembrane Polypeptides and Nucleic  
Acids Encoding the Same

Commissioner for Patents  
Washington, D.C. 20231

RECEIVED

MAR 17 2003

HELLER EHRLICH

Please place the U.S. Patent and Trademark Office date stamp  
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O  
MAY 10 2005  
U.S. PATENT AND TRADEMARK OFFICE

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

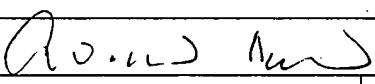
(to be used for all correspondence after initial filing)

		Application Number	10/015610
		Filing Date	12/12/2001
		First Named Inventor	Baker et al.
		Group/Art Unit	Unknown
		Examiner Name	Unknown
Total Number of Pages in This Submission	5	Attorney Docket Number	39780-2830.052 US C

### ENCLOSURES (check all that apply)

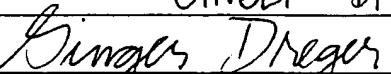
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Version with Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): stamped return postcard
Remarks		
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 REFERENCING ATTORNEY DOCKET No. 39780-2830.052 US C FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.		

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Ginger R. Dreger, Reg. No. 33,055, HELLER EHRLMAN WHITE & McAULIFFE LLP		
Signature			
Date	2.28.03	Customer Number:	35489

### CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service First Class Mail service on the date indicated below and addressed to: Commissioner for Patents, Washington, D.C.  
20231, on this date:

Typed or printed name	Rachel Mena GINGER DREGER	Date	
Signature		Date	2.28.03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	K. Baker, et al.	)	Group Art Unit Unknown
Appl. No.	:	Listed Below	)	I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on
Filed	:	Listed Below	)	<u>2.28.03</u>
For	:	SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME	)	(Date)
Examiner	:	UNKNOWN	)	Ginger R. Dreger, Reg. No. 33,055

REVOCATION AND POWER OF ATTORNEY AND CHANGE OF  
ADDRESS

Commissioner for Patents  
 Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). The assignment is recorded at Reel 012288 and Frame 0504. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

Appl. No. : Listed Below  
Filed : Listed Below

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints Elizabeth M. Barnes, Reg. No. 35,059 and other registrants of **Customer No. 09157** as its attorneys and the registrants of Heller Ehrman White & McAuliffe LLP, 275 Middlefield Road, Menlo Park, California 94025, Telephone (650) 324-7000, **Customer No. 35489**, as its associate attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please correct the address for all future communications relative to the below referenced pending patent application to the following address:

Ginger R. Dreger  
Heller Ehrman White & McAuliffe LLP  
275 Middlefield Road  
Menlo Park, California 94025  
Telephone: 650-324-7000

<u>Appln. No.</u>	<u>Appln. Date</u>	<u>GNE Docket No.</u>	<u>HEWM Docket No.</u>
09/946,374	9/4/2001	P2830P1C1	39780-2830.001 US C
10/006,104	12/6/2001	P2830P1C2	39780-2830.002 US C
10/006,063	12/6/2001	P2830P1C3	39780-2830.003 US C
10/006,818	12/6/2001	P2830P1C4	39780-2830.004 US C
10/006,746	12/6/2001	P2830P1C5	39780-2830.005 US C
10/007,194	12/6/2001	P2830P1C6	39780-2830.006 US C
10/006,130	12/6/2001	P2830P1C7	39780-2830.007 US C
10/006,041	12/6/2001	P2830P1C8	39780-2830.008 US C
10/006,485	12/6/2001	P2830P1C9	39780-2830.009 US C
10/006,768	12/6/2001	P2830P1C10	39780-2830.010 US C
10/006,172	12/6/2001	P2830P1C11	39780-2830.011 US C

Appl. No. :  
Filed :

Listed Below  
Listed Below

<u>Appln. No.</u>	<u>Appln. Date</u>	<u>GNE Docket No.</u>	<u>HEWM Docket No.</u>
10/007,236	12/6/2001	P2830P1C12	39780-2830.012 US C
10/006,117	12/6/2001	P2830P1C13	39780-2830.013 US C
10/006,856	12/6/2001	P2830P1C14	39780-2830.014 US C
10/006,116	12/6/2001	P2830P1C15	39780-2830.015 US C
10/012,101	12/7/2001	P2830P1C16	39780-2830.016 US C
10/012,753	12/7/2001	P2830P1C17	39780-2830.017 US C
10/012,754	12/7/2001	P2830P1C18	39780-2830.018 US C
10/012,064	12/7/2001	P2830P1C19	39780-2830.019 US C
10/012,121	12/7/2001	P2830P1C20	39780-2830.020 US C
10/012,237	12/7/2001	P2830P1C21	39780-2830.021 US C
10/011,833	12/7/2001	P2830P1C22	39780-2830.022 US C
10/012,231	12/7/2001	P2830P1C23	39780-2830.023 US C
10/012,752	12/7/2001	P2830P1C24	39780-2830.024 US C
10/011,795	12/7/2001	P2830P1C25	39780-2830.025 US C
10/012,149	12/7/2001	P2830P1C26	39780-2830.026 US C
10/011,671	12/7/2001	P2830P1C27	39780-2830.027 US C
10/012,755	12/7/2001	P2830P1C28	39780-2830.028 US C
10/012,137	12/7/2001	P2830P1C29	39780-2830.029 US C
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10/013,430	12/10/2001	P2830P1C31	39780-2830.031 US C
10/013,912	12/10/2001	P2830P1C32	39780-2830.032 US C
10/013,910	12/10/2001	P2830P1C33	39780-2830.033 US C
10/013,907	12/10/2001	P2830P1C34	39780-2830.034 US C
10/013,909	12/10/2001	P2830P1C35	39780-2830.035 US C
10/013,906	12/10/2001	P2830P1C36	39780-2830.036 US C
10/013,915	12/10/2001	P2830P1C37	39780-2830.037 US C
10/015,822	12/10/2001	P2830P1C38	39780-2830.038 US C

Appl. No. : Listed Below  
Filed : Listed Below

<u>Appln. No.</u>	<u>Appln. Date</u>	<u>GNE Docket No.</u>	<u>HEWM Docket No.</u>
10/013,911	12/10/2001	P2830P1C39	39780-2830.039 US C
10/013,913	12/10/2001	P2830P1C40	39780-2830.040 US C
10/015,394	12/11/2001	P2830P1C41	39780-2830.041 US C
10/015,499	12/11/2001	P2830P1C42	39780-2830.042 US C
10/015,653	12/11/2001	P2830P1C43	39780-2830.043 US C
10/015,388	12/12/2001	P2830P1C44	39780-2830.044 US C
10/015,869	12/11/2001	P2830P1C45	39780-2830.045 US C
10/015,393	12/11/2001	P2830P1C46	39780-2830.046 US C
10/015,671	12/11/2001	P2830P1C47	39780-2830.047 US C
10/015,389	12/11/2001	P2830P1C48	39780-2830.048 US C
10/015,519	12/11/2001	P2830P1C49	39780-2830.049 US C
10/015,480	12/11/2001	P2830P1C50	39780-2830.050 US C
10/015,385	12/12/2001	P2830P1C51	39780-2830.051 US C
10/015,610	12/12/2001	P2830P1C52	39780-2830.052 US C
10/015,390	12/12/2001	P2830P1C53	39780-2830.053 US C
10/015,387	12/12/2001	P2830P1C54	39780-2830.054 US C
10/015,386	12/12/2001	P2830P1C55	39780-2830.055 US C
10/015,715	12/12/2001	P2830P1C56	39780-2830.056 US C
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10/015,392	12/12/2001	P2830P1C58	39780-2830.058 US C
10/015,391	12/12/2001	P2830P1C59	39780-2830.059 US C
10/017,867	12/13/2001	P2830P1C60	39780-2830.060 US C
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10/017,253	12/14/2001	P2830P1C62	39780-2830.062 US C
10/017,527	12/13/2001	P2830P1C63	39780-2830.063 US C
10/017,610	12/13/2001	P2830P1C64	39780-2830.064 US C
10/020,063	12/13/2001	P2830P1C65	39780-2830.065 US C

Appl. No. : Listed Below  
Filed : Listed Below

<u>Appln. No.</u>	<u>Appln. Date</u>	<u>GNE Docket No.</u>	<u>HEWM Docket No.</u>
10/017,306	12/13/2001	P2830P1C66	39780-2830.066 US C
10/017,390	12/13/2001	P2830P1C67	39780-2830.067 US C
10/226,254	8/21/2002	P2830P1C68	39780-2830.068 US C

Please use Customer No. 35489 for all communications.

Respectfully submitted,

Dated: 2-19-03

By: Mark T. Kresnak  
Mark T. Kresnak  
Registration No. 42,767 *EmB*

Title: Section Patent Counsel

Address: 1 DNA Way  
South San Francisco, CA  
94080

SV 417930 v1  
2/18/03 2:07 PM (99976.0201)